

REMARKS

This is intended as a full and complete response to the Office Action dated September 25, 2003. Claims 1-17 are pending in the application. Claims 18-36 have been cancelled without prejudice. The applicant reserves the right to prosecute the non-elected subject matter in a continuation, divisional or a continuation-in-part application. Claims 1-17 stand rejected. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-17 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 22-27 of co-pending U.S. Application No. 09/905,513 in view of *Miller et al.* (U.S. 4,801,865). The co-pending U.S. Application No. 09/905,513 has not been issued as a U.S. patent yet. In the event U.S. Application No. 09/905,513 is issued as an U.S. patent and the claims of that application and the present application remain substantially unchanged, Applicants will submit a terminal disclaimer in compliance with 37 CFR 1.321(c) to permit allowance of the subject matter of claims 1-17. Abeyance of the rejection and objection is respectfully requested.

Claims 1, 3-5, 7-9, 11-13 and 15-17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Dordi et al.* (WO 99/54920), and further in view of *Miller et al.* (U.S. 4,801,865). Applicants respectfully traverse this rejection as *Dordi et al.* fails to teach, show, or suggest an annular conductive body adapted to support the substrate. The metal impregnated elastomer ring 350, described by *Dordi et al.*, is part of the cathode clamp ring 210 and is secured to the stepped surface 209 of the cathode clamp ring 210. The metal wires 358 conduct electrical power from the cathode clamp ring 210 to the substrate deposition surface 214, which is part of substrate 202. The substrate 202 is positioned below the metal impregnated elastomer ring 350 and is supported by the substrate support member 204. The metal impregnated elastomer ring 350 is not part of the substrate support member 204 and cannot support the substrate 202. (See, pages 14 and 15, and Figures 4 and 8.) Therefore, *Dordi et al.* does not teach, show, or suggest an apparatus for electro-chemical deposition that comprises an annular conductive body adapted to support the substrate. Accordingly,

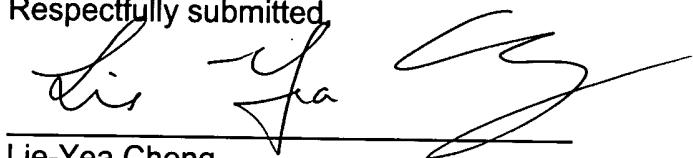
applicants respectfully submit that claims 1, 3-5, 7-9, 11-13 and 15-17 are in condition for allowance and respectfully request withdrawal of the rejection and allowance of the claims.

Claims 1-2, 7, 9-10, 15 and 17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Crafts et al.* (U.S. 5,807,469), and further in view of *Miller et al.* Applicants respectfully traverse this rejection as *Crafts et al.* fails to teach, show, or suggest an annular conductive body adapted to support the substrate. The plural tabs 314 of Figure 10, described by *Crafts et al.*, connect the power supply to the electrically conductive contact of the wafer at a discrete number of points. These tabs 314 do not form an annular conductive body and cannot support the substrate. (See, column 9, lines 6-31, and Figure 10.) Therefore, *Crafts et al.* does not teach, show, or suggest an apparatus for electro-chemical deposition that comprises an annular conductive body adapted to support the substrate. As a consequence, applicants respectfully submit that claims 1-2, 7, 9-10, 15 and 17 are in condition for allowance and respectfully request withdrawal of the rejection and allowance of the claims.

Claims 6 and 14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Dordi et al. – Miller et al.* combination and *Crafts et al. – Miller et al.* combination, as applied to claims 1 and 9, and further in view of *Woodruff et al.* (U.S. 6,309,524). Applicants respectfully traverse this rejection as the *Dordi et al. – Miller et al.* combination and the *Crafts et al. – Miller et al.* combination fail to teach, show, or suggest an annular conductive body adapted to support the substrate, as discussed above. As a consequence, applicants respectfully submit that claims 6 and 14 are in condition for allowance and respectfully request withdrawal of the rejection.

In conclusion, the references cited by the Examiner, neither alone nor in combination, teach, show, or suggest the apparatus or method of the present invention. Having addressed all issues set out in the office action, Applicants respectfully submit that claims 1-17 are in condition for allowance, and respectfully request that the claims be allowed.

Respectfully submitted,



Lie-Yea Cheng
Registration No. 52,732
MOSER, PATTERSON & SHERIDAN, L.L.P.
350 Cambridge Avenue, Suite 250
Palo Alto, CA 94306
Telephone: (650) 330-2310
Facsimile: (650) 330-2314
Agent for Applicant(s)